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January 22, 2016

VIA ECF AND ELECTRONIC MAIL

The Honorable Stuart M. Bernstein
U. S. Bankruptcy Judge
U.S. Bankruptcy Court for the
Southern District of New York
One Bowling Green
New York, NY 10004-1408

Re: *Picard v. Ceretti, Adv. No. 09-01161 (SMB)*

Dear Judge Bernstein:

We are counsel to Trustee Irving H. Picard, plaintiff in the above-referenced proceeding. The Trustee and the Joint Liquidators of Kingate Global Fund Ltd. and Kingate Euro Fund Ltd. (the "Joint Liquidators") are presently scheduled to appear before Your Honor for a pretrial conference on January 27, 2016 at 10:00 a.m. The case remains in active discovery, and based on several unresolved discovery issues, we are writing to request, under Local Rule 7007-1(b) and Your Honor's chambers rules, a discovery-related conference in chambers in place of the scheduled pretrial conference. We propose to update Your Honor with the developments in discovery that have occurred since our discovery-related conference on December 18, 2015, and to seek guidance on proceeding with discovery. In particular, we hope to have information about the outcome of the hearing scheduled on January 26, 2016, on the Joint Liquidators' application to the British Virgin Islands Court for instructions concerning their document productions to the Trustee.

We advised counsel to the Joint Liquidators by email today that we would request a discovery-

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related conference before Your Honor concerning this matter in place of the scheduled pretrial conference.

Respectfully,

/s/ Geraldine E. Ponto

Geraldine E. Ponto

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